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AMENDMENTS TO LB 1

(Amendments to E & R amendments, AM7242)

1 1. Insert the following new section:

2 "Section 1. Section 81-15,160, Revised Statutes
3 Supplement, 2001, is amended to read:

4 81-15,160. (1) The Waste Reduction and Recycling
5 Incentive Fund is created. The department shall deduct from the
6 fund amounts sufficient to reimburse itself for its costs of
7 administration of the fund. The fund shall be administered by the
8 Department of Environmental Quality. The fund shall consist of
9 proceeds from the fees imposed pursuant to the Waste Reduction and
10 Recycling Incentive Act.

11 (2) The fund may be used for purposes which include, but
12 are not limited to:

13 (a) Technical and financial assistance to political
14 subdivisions for creation of recycling systems and for modification
15 of present recycling systems;

16 (b) Recycling and waste reduction projects, including
17 public education, planning, and technical assistance;

18 (c) Market development for recyclable materials separated
19 by generators, including public education, planning, and technical
20 assistance;

21 (d) Capital assistance for establishing private and
22 public intermediate processing facilities for recyclable materials
23 and facilities using recyclable materials in new products;

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1 (e) Programs which develop and implement composting of
2 yard waste and composting with sewage sludge;

3 (f) Technical assistance for waste reduction and waste
4 exchange for waste generators;

5 (g) Programs to assist communities and counties to
6 develop and implement household hazardous waste management
7 programs;

8 (h) Incentive grants to political subdivisions to assist
9 and encourage the closure of landfills operating without a permit,
10 the regional consolidation of solid waste disposal facilities
11 operating with a permit, and the use of transfer stations. Grants
12 awarded for programs involving land disposal shall include
13 provisions for waste reduction and recycling; and

14 (i) Capital assistance for establishing private and
15 public facilities to manufacture combustible waste products and to
16 incinerate waste to generate and recover energy resources, except
17 that no disbursements shall be made under this section for scrap
18 tire processing related to tire-derived fuel.

19 The State Treasurer shall transfer two million one
20 hundred thousand dollars from the Waste Reduction and Recycling
21 Incentive Fund to the General Fund within five days after the
22 effective date of this act.

23 (3) No grant shall be made under section 81-15,161 to a
24 political subdivision which operates a landfill operating without a
25 permit unless the grant will be used to meet permit standards and
26 the landfill is issued a permit within two years after the award of
27 the grant.

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1 (4) Grants up to one million dollars annually shall be
2 available until June 1, 2004, for new scrap tire projects only, if
3 acceptable scrap tire project applications are received. Eligible
4 categories of disbursement under section 81-15,161 may include, but
5 are not limited to:

6 (a) Reimbursement for the purchase of crumb rubber
7 generated and used in Nebraska, with disbursements not to exceed
8 fifty percent of the cost of the crumb rubber;

9 (b) Reimbursement for the purchase of tire-derived
10 product which utilizes a minimum of twenty-five percent recycled
11 tire content, with disbursements not to exceed twenty-five percent
12 of the product's retail cost, except that persons who applied for a
13 grant between June 1, 1999, and May 31, 2001, for the purchase of
14 tire-derived product which utilizes a minimum of twenty-five
15 percent recycled tire content may apply for reimbursement on or
16 before July 1, 2002. Reimbursement shall not exceed twenty-five
17 percent of the product's retail cost and may be funded in fiscal
18 years 2001-02 and 2002-03;

19 (c) Participation in the capital costs of building,
20 equipment, and other capital improvement needs or startup costs for
21 scrap tire processing or manufacturing of tire-derived product,
22 with disbursements not to exceed fifty percent of such costs or
23 five hundred thousand dollars, whichever is less;

24 (d) Participation in the capital costs of building,
25 equipment, or other startup costs needed to establish collection
26 sites or to collect and transport scrap tires, with disbursements
27 not to exceed fifty percent of such costs;

1 (e) Cost-sharing for the manufacturing of tire-derived
2 product, with disbursements not to exceed twenty dollars per ton or
3 two hundred fifty thousand dollars, whichever is less, to any
4 person annually;

5 (f) Cost-sharing for the processing of scrap tires, with
6 disbursements not to exceed twenty dollars per ton or two hundred
7 fifty thousand dollars, whichever is less, to any person annually;

8 (g) Cost-sharing for the use of scrap tires for civil
9 engineering applications for specified projects, with disbursements
10 not to exceed twenty dollars per ton or two hundred fifty thousand
11 dollars, whichever is less, to any person annually; and

12 (h) Disbursement to a political subdivision up to one
13 hundred percent of costs incurred in cleaning up scrap tire
14 collection sites.

15 The director shall give preference to projects which
16 utilize scrap tires generated and used in Nebraska.

17 (5) Priority for grants made under section 81-15,161
18 shall be given to grant proposals demonstrating a formal
19 public/private partnership except for grants awarded from fees
20 collected under subsection (6) of section 13-2042.

21 (6) Grants awarded from fees collected under subsection
22 (6) of section 13-2042 may be renewed for up to a five-year grant
23 period. Such applications shall include an updated integrated
24 solid waste management plan pursuant to section 13-2032. Annual
25 disbursements are subject to available funds and the grantee
26 meeting established grant conditions. Priority for such grants
27 shall be given to grant proposals showing regional participation

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1 and programs which address the first integrated solid waste
2 management hierarchy as stated in section 13-2018 which shall
3 include toxicity reduction. Disbursements for any one year shall
4 not exceed fifty percent of the total fees collected after rebates
5 under subsection (6) of section 13-2042 during that year.

6 (7) Any person who operates a scrap tire collection site
7 in violation of state law which is the subject of abatement or
8 cleanup shall be liable to the State of Nebraska for the
9 reimbursement of expenses of such abatement or cleanup paid by the
10 Department of Environmental Quality.

11 (8) The Department of Environmental Quality may receive
12 gifts, bequests, and any other contributions for deposit in the
13 ~~fund~~ Waste Reduction and Recycling Incentive Fund. Any money in
14 the fund available for investment shall be invested by the state
15 investment officer pursuant to the Nebraska Capital Expansion Act
16 and the Nebraska State Funds Investment Act.".

17 2. Renumber the remaining sections and correct the
18 repealer accordingly.